

**IN THE UNITED STATES DISTRICT COURT
FOR SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Chad Thompson, et al.,	:	
	:	CASE NO. 2:20-cv-2129
Plaintiffs,	:	JUDGE EDMUND SARGUS, JR
	:	Magistrate Judge Chelsea M. Vascura
v.	:	
	:	
Mike DeWine, et al.,	:	
	:	
Defendants.	:	

**INTERVENOR-PLAINTIFFS' UNOPPOSED JOINT MOTION FOR
VOLUNTARY DISMISSAL OF COMPLAINTS**

Intervenors-Plaintiffs Ohioans for Raising the Wage, Anthony A. Caldwell, James E. Hayes, David G. Latanick, Pierrette M. Talley, Ohioans for Secure and Fair Elections, Darlene L. English, Laura A. Gold, Isabel C. Robertson, Ebony Speakes-Hall, Paul Moke, Andre Washington, Scott A. Campbell, Susan Zeigler, and Hasan Kwame Jeffries (collectively, “Intervenors-Plaintiffs”) jointly move the Court for voluntarily dismissal of their respective Complaints with prejudice, pursuant to Fed. R. Civ. P. 41(a)(2).

As the Court is aware, Defendants’ appeal of this Court’s decision to grant a preliminary injunction is currently pending before the U.S Court of Appeals for the Sixth Circuit (Case No. 20-3526). However, the appeal became moot as it related to Intervenors-Plaintiffs who discontinued their respective signature collection efforts after the Sixth Circuit stayed this Court’s decision pending Defendant’s appeal and the filing deadline passed for statewide ballot measures to be submitted at the November 3, 2020 General Election. Thus, to continue the case, with respect to Intervenors-Plaintiffs, would be meaningless and purely advisory.

On August 20, 2020, Intervenor-Plaintiffs filed an Unopposed Motion to Withdraw from the pending appeal before the Sixth Circuit. A true and accurate copy of the Unopposed Motion to Withdraw is attached hereto as Exhibit A.

Neither the instant Motion for Voluntary Dismissal nor the Unopposed Motion to Withdraw filed with the Sixth Circuit include the original Plaintiffs, who seek relief related to municipal initiative petitions.

Finally, and pursuant to Local Rule 7.3(b), Intervenor-Plaintiffs conferred with Defendants, and they have no objection to Intervenor-Plaintiffs voluntarily dismissing their respective Complaints in this matter.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2020, I caused a true and correct copy of the foregoing to be served upon all counsel of record registered with the Court's ECF system, by electronic service via the Court's ECF transmission facilities.

Respectfully submitted,

/s/ Donald J. McTigue
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EXHIBIT A

No. 20-3526

IN THE
United States Court of Appeals
FOR THE SIXTH CIRCUIT

CHAD THOMPSON; WILLIAM T. SCHMITT; DON KEENEY

Plaintiffs – Appellees,

v.

RICHARD MICHAEL DEWINE, in his capacity as the Governor of Ohio; AMY ACTON, in her official capacity as Director of Ohio Department of Health; FRANK LAROSE, in his official capacity as Ohio Secretary of State

Defendants – Appellants,

OHIOANS FOR SECURE AND FAIR ELECTIONS; DARLENE L. ENGLISH; LAURA A. GOLD; ISABEL C. ROBERTSON; EBONY SPEAKES-HALL; PAUL MOKE; ANDRE WASHINGTON; SCOTT A. CAMPBELL; SUSAN ZEIGLER; HASAN KWAME JEFFRIES;

OHIOANS FOR RAISING THE WAGE; ANTHONY CALDWELL; JAMES E. HAYES;
DAVID G. LATANICK; PIERRETTE M. TALLEY

Proposed Intervenors – Appellees.

UNOPPOSED MOTION to WITHDRAW BY INTERVENORS-APPELLEES
OHIOANS FOR SECURE AND FAIR ELECTIONS et al. AND OHIOANS
FOR RAISING THE WAGE et al.

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UNOPPOSED MOTION TO WITHDRAW

Intervenors-Appellees Ohioans for Secure and Fair Elections, Darlene L. English, Laura A. Gold, Isabel C. Robertson, Ebony Speakes-Hall; Paul Moke, Andre Washington, Scott A. Campbell, Susan Zeigler, Hasan Kwame Jeffries, Ohioans for Raising the Wage, Anthony Caldwell, James E. Hayes, David G. Latanick, and Pierrette M. Talley (altogether, “Intervenors-Appellees”) seek to withdraw from this appeal because this appeal has become moot as it related to them. The deadline for statewide ballot measures for the 2020 General Election has passed. Intervenor-Appellees sought relief only for this upcoming election. As a result of the stay granted pending the State’s appeal, Intervenor-Appellees discontinued their efforts to collect signatures on the proposed petitions. Thus, to continue this case with respect to these parties, who sought to propose by initiative petition amendments to the Ohio Constitution, would be meaningless and purely advisory.

This motion does not include the original Plaintiffs-Appellees, who seek relief related to municipal initiative petitions.

Intervenors-Appellees have conferred with the Defendant-Appellants, and they have no objection to Intervenors-Appellees’ withdrawal if they will also dismiss their portion of the district court case in this matter below. Intervenors-Appellees will do so.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2020, I filed a copy of the foregoing electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance, by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Freda J. Levenson

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